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Attorneys for Plaintiff UNITED STATES  
 DEPARTMENT OF STATE

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

UNITED STATES DEPARTMENT OF  
 STATE,

Plaintiff,

v.

BRUCE OWEN and ALEXANDRA OWEN,

Defendants.

CASE NO. 19-cv-04094-HSG (

**STIPULATION AND ~~PROPOSED~~ ORDER  
 EXTENDING EXPERT DEADLINES**

Plaintiff United States Department of State (“Plaintiff”) and defendants Bruce Owen and Alexandra Owen (“Defendants”), by and through their undersigned counsel, hereby STIPULATE and respectfully REQUEST that the Court modify the schedule in this action as follows:

The parties previously brought to the Court’s attention a discovery dispute regarding Plaintiff’s request, under Federal Rule of Civil Procedure 34, that Defendants permit Plaintiff’s expert to inspect the exterior and interior of the property that is the subject of this eviction action, located at 3400 Washington Street, San Francisco, California 94118 (the “Property”). ECF No. 33. As the parties stipulated, Plaintiff has sought to have its expert “conduct a site visit to assess the fair market rental value of the property at issue in this case,” which Plaintiff believes is necessary to calculate the correct amount of damages it is owed if it is successful in this case. ECF Nos. 32, 33. Accordingly, the parties stipulated to a briefing schedule for a motion to compel by Plaintiff under Rule 37, and to stay the

STIPULATION AND ~~PROPOSED~~ ORDER EXTENDING EXPERT DEADLINES

deadlines for exchanging opening and rebuttal expert reports and the close of expert discovery until the Court decided Plaintiff's anticipated motion. ECF No. 33. The Court referred the parties' discovery dispute to the Honorable Magistrate Judge Donna M. Ryu, ECF No. 34, and Judge Ryu issued an order denying the parties' stipulation and requiring the parties to comply with the procedures set forth in the order — including meeting and conferring about the dispute in real time — and submitting any joint letter regarding the dispute by July 16, 2020. ECF No. 35. Judge Ryu also held that “[t]o the extent the parties seek to extend case management deadlines, any such request must be submitted to the Honorable Haywood S. Gilliam, Jr.” *Id.*

Following the order, the undersigned counsel met and conferred regarding this dispute, including by telephone on July 6, 2020 and by email on July 6, 7, and 8, 2020. In light of the parties' intent to continue to meet and confer in an attempt to resolve this dispute and Judge Ryu's deadline of July 16, 2020 for any joint letter regarding the dispute, *id.*, an order from this Court is necessary to avoid exchanging expert reports before the dispute is resolved, *i.e.*, on the current deadline of July 10, 2020. ECF No. 32. For these reasons, the parties stipulate and respectfully request that the Court extend only their upcoming deadlines for the exchange of opening expert reports and rebuttal expert reports as follows:

Event	Deadline
Exchange Opening Expert Reports	<del>July 10, 2020</del> <b><u>July 24, 2020</u></b>
Exchange Rebuttal Expert Reports	<del>July 24, 2020</del> <b><u>August 7, 2020</u></b>
Deadline to Complete ADR	August 20, 2020
Close of Expert and Fact Discovery	August 20, 2020
Dispositive Motion Hearing Deadline	Oct. 1, 2020, at 2:00 p.m.
Pretrial Conference	Oct. 27, 2020, at 3:00 p.m.
Jury Trial (5 Days)	Nov. 9, 2020, at 8:30 a.m.

SO STIPULATED.

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Respectfully submitted,

DAVID L. ANDERSON  
United States Attorney

Dated: July 8, 2020

By: /s/ Savith Iyengar  
SAVITH IYENGAR  
Assistant United States Attorney  
Attorneys for Plaintiff

By: \*\*/s/ Daniel Berko  
DANIEL BERKO  
Attorney for Defendants

\*\* Pursuant to Civ. L.R. 5-1(i)(3), the filer of the document  
has obtained approval from this signatory.

~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that the parties' schedule in this action is modified as follows:

Event	Deadline
Exchange Opening Expert Reports	July 24, 2020
Exchange Rebuttal Expert Reports	August 7, 2020
Deadline to Complete ADR	August 20, 2020
Close of Expert and Fact Discovery	August 20, 2020
Dispositive Motion Hearing Deadline	Oct. 1, 2020, at 2:00 p.m.
Pretrial Conference	Oct. 27, 2020, at 3:00 p.m.
Jury Trial (5 Days)	Nov. 9, 2020, at 8:30 a.m.

SO ORDERED.

Dated: 7/9/2020

  
 HON. HAYWOOD S. GILLIAM JR.  
 United States District Judge